

**OFFICE OF THE
DISTRICT ATTORNEY OF LANCASTER COUNTY**

TELEPHONE
717-299-8100

FAX
717-295-3693



LANCASTER COUNTY COURTHOUSE
50 NORTH DUKE STREET
P.O. BOX 83480
LANCASTER, PA 17608-3480

**CRAIG W. STEDMAN
DISTRICT ATTORNEY**

April 10, 2019

Dylan Segelbaum
1891 Loucks Rd
York, PA 17408
PHONE / FAX #
Via Email: dsegelbaum@ydr.com

Re: RTKL #14-2019
Prostitution Investigations

Dear Mr. Segelbaum:

The Lancaster County Office of the District Attorney has received your request for records under the Right-to-Know Law (“RTKL”). Your request was received by the Lancaster County Office of the District Attorney on March 26, 2019. Therefore, under the RTKL, a written response to your request was originally due on or before April 2, 2019. On April 2, 2019, an Extension Letter was generated and emailed to you extending the deadline to respond to May 2, 2019. Copies of your request and the Extension Letter are attached.

Your request seeks access to the following “Copies of written memos, procedures and policies that the Lancaster County District Attorney’s Office has sent out about how police officers are to conduct prostitution investigations. Copies of written memos, procedures and policies on how members of the Lancaster County Drug Task Force are to conduct prostitution investigations.” Your request is denied for the following reasons:

- To the extent that your request implicates access to records that the District Attorney’s Office does not have in its custody, control or possession records that are responsive to your request, your request is denied. Section 705 of the RTKL provides that ‘[w]hen responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format, or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the

record.' 65 P.S. § 67.705. *See also Moore v. Office of Open Records*, 992 A.2d 907 (Pa. Cmwlth. 2010).

- No responsive records exist. Specifically, no such records of policies or memos exist regarding how police officers or members of the Drug Task Force are to conduct prostitution investigations.

If you wish to appeal this determination based on the criminal investigative records exemptions, you have the right to submit a written appeal to Amara Riley, Open Records Appeals Officer, Lancaster County District Attorney's Office, 50 North Duke Street, P.O. Box 83480, Lancaster, PA 17608-3480. If you choose to file an appeal, you must do so within fifteen business days of the date of this letter. *See* 65 P.S. § 67.1101. The appeal must include a copy of your original request and this response letter and must state the grounds upon which you assert that the record is a public record and must address any grounds stated by the agency for denying the request.

If you wish to appeal this determination pursuant to any other grounds, you have the right to submit an appeal to the Office of Open Records within fifteen business days of the date of this letter. An appeal must be submitted in writing either by mail (Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101-2234), fax (717-425-5343), or email (openrecords@pa.gov). The appeal must include a copy of your original request and this response letter and must state the grounds upon which you assert that the record is a public record and must address any grounds stated by the agency for denying the request.

Respectfully yours,



Caitlin B. Blazier
Assistant District Attorney
Open Records Officer

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**CRAIG W. STEDMAN
DISTRICT ATTORNEY**

April 2, 2019

Dylan Segelbaum
1891 Loucks Rd
York, PA 17408.
Via Email: dsegelbaum@ydr.com

Re: RTKL #14-2019
 Prostitution Investigations

Dear Mr. Segelbaum,

The Lancaster County Office of the District Attorney has received your request for records under the Right-to-Know Law ("RTKL"). Your request was received by the Lancaster County Office of the District Attorney on March 26, 2019. Therefore, under the RTKL, a written response to your request is due on or before April 2, 2019. A copy of your request is attached.

This interim response to your request is provided pursuant to that requirement. A final response will be sent at a later time as outlined below.

You are hereby notified that the District Attorney's Office will require an additional 30 calendar days pursuant to 65 P.S. §67.902, i.e. until May 2, 2019, in which to provide a final written response to your request. This extension of time is necessary so a legal review can be conducted to determine whether the records you request are subject to access under the RTKL.

Respectfully yours,

Caitlin B. Blazier
Caitlin B. Blazier,
Assistant District Attorney
Open Records Officer



#14-2019
REC: 3/26/19
DAY 1: 3/27/19
DUE: 4/2/19

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: March 26, 2019

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): The Lancaster County District Attorney's Office, 50 North Duke St., Lancaster, PA 17608.

NAME OF REQUESTER: Dylan Segelbaum

STREET ADDRESS: 1891 Loucks Road

CITY/STATE/COUNTY/ZIP(Required): York, PA 17408

TELEPHONE (Optional): (717) 916-3981 (cell) EMAIL (optional): dsegelbaum@ydr.com.

RECORDS REQUESTED: *Provide as much specific detail as possible so the agency can identify the information.
Please use additional sheets if necessary

I am requesting the following documents:

- Copies of written memos, procedures and policies that the Lancaster County District Attorney's Office has sent out about how police officers are to conduct prostitution investigations.
- Copies of written memos, procedures and policies on how members of the Lancaster County Drug Task Force are to conduct prostitution investigations.
- If possible, please provide any responsive records via email to dsegelbaum@ydr.com.

DO YOU WANT COPIES? YES NO

DO YOU WANT TO INSPECT THE RECORDS? YES NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$25? YES NO

** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES **
** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL **

FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

****Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)**

Blazier, Caitlin

From: Segelbaum, Dylan <dsegelbaum@ydr.com>
Sent: Tuesday, March 26, 2019 3:21 PM
To: DA RTK
Subject: Right-to-Know Law Request: March 26, 2019
Attachments: LancasterCountyDistrictAttorneysOffice_RTKL.doc

See attached.

Dylan Segelbaum
Courthouse Reporter



PART OF THE USA TODAY NETWORK

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dsegelbaum@ydr.com
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